

HAYS COUNTY COMMISSIONERS' COURT MINUTES



JULY 11, 2023

STATE OF TEXAS \*  
COUNTY OF HAYS \*

ON THIS THE 11th DAY OF JULY A.D., 2023, THE COMMISSIONERS' COURT OF HAYS COUNTY, TEXAS, MET IN REGULAR MEETING. THE FOLLOWING MEMBERS WERE PRESENT, TO-WIT:

RUBEN BECERRA	COUNTY JUDGE
DEBBIE GONZALES INGALSBE	COMMISSIONER, PCT. 1
MICHELLE COHEN	COMMISSIONER, PCT. 2
LON A. SHELL	COMMISSIONER, PCT. 3
WALT SMITH	COMMISSIONER, PCT. 4
ELAINE H. CÁRDENAS	COUNTY CLERK

Clerk's Note: For complete transcript go to Hays County Website  
<https://hayscountytexas.com/commissioners-court/court-video/>  
Transcript can be translated into any language through Google.com.

THE FOLLOWING PROCEEDINGS WERE HAD, THAT IS:

Pastor Jim Davis, Grace Bible Church San Marcos, gave the invocation. Judge Becerra led the court in the Pledge of Allegiance to the United States and Texas flags. Judge Becerra called the meeting to order.

#### PUBLIC COMMENTS

*Tom Smith made a public comment concerning air pollution around SH-45 and advocated for electric vehicles. Dan Lyon made a public comment thanking emergency services for their response to the Vineyard Hill/Hilliard Road fire and asked for more emergency escape routes in the area. Rodrigo Amaya made a public comment concerning court-appointed attorneys and pre-trial detention.*

Recognition of the Texas Historical Commission's Distinguished Service Award to the Hays County Historical Commission for the 2022 year of service.

*Linda Coker, Chair of the Hays County Historical Commission, spoke about the volunteers and highlighted their work on markers, cemeteries, and local governments. Commissioner Smith thanked the previous chair of the Historical Commission, Kate Johnson, for her service.*

Presentation and Update on the Hays County Center for Pet Resources, Education, and Research by Austin Pets Alive!

*Lee Ann Shenefiel, Austin Pets Alive! Executive Advisor, reviewed the progress made so far in the creation of a Pet Resource Center and spoke about current work, including a Comprehensive Program Plan, a Community Values and Needs Survey, and a Demographic Analysis. The Court gave support for the project and thanked all involved. Judge Becerra spoke about the importance of identifying community needs before constructing a facility. Commissioner Ingalsbe suggested having the surveys available in Spanish. Commissioner Cohen spoke about addressing food insecurity. Commissioner Shell thanked the City of San Marcos and the regional animal shelter for their work. Commissioner Smith expressed concern over inclusion of the western and eastern portions of the county and meeting project timelines.*

39120 Approve payments of County invoices.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve payments of County invoices.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

5 - 0 Passed - Unanimously

**39121** Approve the payment of Juror checks.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve the payment of Juror checks.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39122** Approve the payment of United Healthcare claims.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve the payment of United Healthcare claims.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39123** Approve Commissioners Court Minutes of June 6, 2023 and June 20, 2023.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve Commissioners Court Minutes of June 6, 2023 and June 20, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39124** Approve the payment of the July 15, 2023 payroll disbursements in an amount not to exceed \$3,700,000 effective July 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve the payment of the July 15, 2023 payroll disbursements in an amount not to exceed \$3,700,000 effective July 15, 2023 and post totals for wages, withholdings, deductions and benefits on the Hays County website once finalized.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39125** Approve and confirm the appointment of Courtney Gamble as a regular full-time Deputy Constable in the Hays County Constable's Precinct 1 Office.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve and confirm the appointment of Courtney Gamble as a regular full-time Deputy Constable in the Hays County Constable's Precinct 1 Office.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39126** Authorize the Hays County Veterans Service Office to occupy the office space within the Hays County Courthouse.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Hays County Veterans Service Office to occupy the office space within the Hays County Courthouse.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39127** Receive and Ratify the finalized Parks Bond Agreement: the Diligence Funding Agreement with Wimberley Independent School District (WISD) and Wimberley Youth Sports Association (WYSA) and amend the budget accordingly.

*Dan Lyon made a public comment concerning the county paying for this item and the use of the fields. Commissioner Shell explained WISD is allowing the use of this property and gave support for the item. Judge Becerra spoke about projects being completed in all precincts. Commissioner Smith spoke about Parks Bond projects having public access.*



A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to Receive and Ratify the finalized Parks Bond Agreement: the Diligence Funding Agreement with Wimberley Independent School District (WISD) and Wimberley Youth Sports Association (WYSA) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39128** Authorize a waiver to the purchasing policy for the Constable Pct. 4 Office to purchase one (1) Motor Kit, Freedom Wireless, Portable Only Operation on Harley-Davidson Motor with PA Interface valued at \$854.00 from PVP Communication and amend the budget accordingly.

*Rodrigo Amaya made a public comment against waivers to the purchasing policy. Commissioner Smith stated he agrees with the public comment, except in cases like this when law enforcement need to make emergency equipment purchases.*

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize a waiver to the purchasing policy for the Constable Pct. 4 Office to purchase one (1) Motor Kit, Freedom Wireless, Portable Only Operation on Harley-Davidson Motor with PA Interface valued at \$854.00 from PVP Communication and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39129** Authorize a waiver to the purchasing policy for the Constable Pct. 4 Office to purchase one (1) Freedom Speakermic with Wireless System Control valued at \$534.00 from PVP Communication and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize a waiver to the purchasing policy for the Constable Pct. 4 Office to purchase one (1) Freedom Speakermic with Wireless System Control valued at \$534.00 from PVP Communication and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39130** Authorize the Transportation Department to purchase one replacement Dell Latitude 5540 laptop computer and wireless mouse in the amount of \$1,431.04 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Transportation Department to purchase one replacement Dell Latitude 5540 laptop computer and wireless mouse in the amount of \$1,431.04 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39131** Authorize the acceptance of a cash match contribution from Cedar Oaks Mesa Water Supply Corporation, as a grant requirement, in the amount of \$17,500.00 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the acceptance of a cash match contribution from Cedar Oaks Mesa Water Supply Corporation, as a grant requirement, in the amount of \$17,500.00 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39132** Ratify the submission of a grant application to the Bulletproof Vest Partnership in the amount of \$20,628.32.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to ratify the submission of a grant application to the Bulletproof Vest Partnership in the amount of \$20,628.32.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39133** Authorize a budget amendment transfer of \$5,000.00 to continuing education funds within the County Clerk's Records Management Fund and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize a budget amendment transfer of \$5,000.00 to continuing education funds within the County Clerk's Records Management Fund and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39134** Authorize Payment to Card Service Center in the amount of \$894.99 for repairs done to the Kyle/Buda Community Emergency Response Team (CERT) trailer in which no purchase order was issued per the county purchasing policy and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize Payment to Card Service Center in the amount of \$894.99 for repairs done to the Kyle/Buda Community Emergency Response Team (CERT) trailer in which no purchase order was issued per the county purchasing policy and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39135** Accept the Fiscal Year 2022 Hays County Emergency Services District #1 Audit Report per Texas Health and Safety Code 775.082.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to accept the Fiscal Year 2022 Hays County Emergency Services District #1 Audit Report per Texas Health and Safety Code 775.082.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39136** Accept the Fiscal Year 2022 Hays County Emergency Services District #2 Audit Report per Texas Health and Safety Code 775.082.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to accept the Fiscal Year 2022 Hays County Emergency Services District #2 Audit Report per Texas Health and Safety Code 775.082.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39137** Accept the Fiscal Year 2022 Hays County Emergency Services District #3 Audit Report per Texas Health and Safety Code 775.082.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to accept the Fiscal Year 2022 Hays County Emergency Services District #3 Audit Report per Texas Health and Safety Code 775.082.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39138** Accept the Fiscal Year 2022 Hays County Emergency Services District #6 Audit Report per Texas Health and Safety Code 775.082.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to accept the Fiscal Year 2022 Hays County Emergency Services District #6 Audit Report per Texas Health and Safety Code 775.082.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**



**39139** Accept the Fiscal Year 2022 Hays County Emergency Services District #8 Audit Report per Texas Health and Safety Code 775.082.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to accept the Fiscal Year 2022 Hays County Emergency Services District #8 Audit Report per Texas Health and Safety Code 775.082.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39140** Approve specifications for IFB 2023-B09 Sawyer Ranch Road - Remove and Replace Hot Mix and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve specifications for IFB 2023-B09 Sawyer Ranch Road - Remove and Replace Hot Mix and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39141** Approve specifications for IFB 2023-B17 Jack Rabbit Lane - Remove and Replace Hot Mix and authorize Purchasing to solicit for bids and advertise.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve specifications for IFB 2023-B17 Jack Rabbit Lane - Remove and Replace Hot Mix and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39142** Authorize the Sheriff's Office to use existing funds of \$771.96 to purchase law enforcement equipment for the Jail Division for training purposes.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to use existing funds of \$771.96 to purchase law enforcement equipment for the Jail Division for training purposes.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39143** Authorize the Sheriff's Office to use existing funds to purchase four Glock 17 training pistols with supplies valued at \$3,497.00 for training purposes.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to use existing funds to purchase four Glock 17 training pistols with supplies valued at \$3,497.00 for training purposes.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39144** Authorize the Sheriff's Office to use existing funds to purchase a vehicle partition valued at \$1,392.00 for the transport unit.

*Rodrigo Amaya made a public comment concerning the information in the back-up. Marisol Villarreal-Alonzo, Hays County Auditor, explained why several departments are involved in the purchasing process.*

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to use existing funds to purchase a vehicle partition valued at \$1,392.00 for the transport unit.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**



**39145** Authorize the Sheriff's Jail Division to use savings of \$28,439.00 from FY 2023 capital improvements to cover additional expenses for replacement A/C units approved in the FY 2023 budget process and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Sheriff's Jail Division to use savings of \$28,439.00 from FY 2023 capital improvements to cover additional expenses for replacement A/C units approved in the FY 2023 budget process and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39146** Authorize an amendment for the Sheriff's Office to purchase law enforcement equipment and supplies from Sheriff Drug Forfeiture Funds.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize an amendment for the Sheriff's Office to purchase law enforcement equipment and supplies from Sheriff Drug Forfeiture Funds.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

Authorize payment to Drippin' Towin' Service, Inc. of \$500.00 for two invoices where no purchase order was in place as per the County Purchasing Policy.

*Rodrigo Amaya made a public comment concerning prices charged by the towing company and county policy. Marisol Villarreal-Alonzo, Hays County Auditor, explained the split purchase policy and stated more information would have to be obtained from the Sheriff's Office to answer the Court's questions. No action taken.*

**39147** Approve specifications for IFB 2023-B16 Centerpoint Road and authorize Purchasing to solicit for bids and advertise.

*Stephanie Hunt, Assistant County Auditor, made a correction to page 120 of the scope of work in the back-up, changing the section with "FM 2770" to the wording in the item summary.*

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve specifications for IFB 2023-B16 Centerpoint Road and authorize Purchasing to solicit for bids and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39148** Approve specifications for RFP 202-P02 Bank Depository and authorize Purchasing to solicit for proposals and advertise.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve specifications for RFP 202-P02 Bank Depository and authorize Purchasing to solicit for proposals and advertise.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39149** Authorize the Hays County Commissioners Court to submit a request for funds to the Texas Comptroller's Office for unclaimed capital credits pursuant to the Texas Property Code, Section 74.602.

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Hays County Commissioners Court to submit a request for funds to the Texas Comptroller's Office for unclaimed capital credits pursuant to the Texas Property Code, Section 74.602.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39150 Approve Utility Permits.**

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to approve Utility Permits.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39151 Authorize the execution of a renewal Letter Agreement with the Community Supervision and Corrections Department (CSCD) related to the FY 2024 Veteran's Services - Veteran's Treatment Court Grant for Adult Probation Services.**

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the execution of a renewal Letter Agreement with the Community Supervision and Corrections Department (CSCD) related to the FY 2024 Veteran's Services - Veteran's Treatment Court Grant for Adult Probation Services.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39152 Authorize the County Judge to execute an Amendment Order Form with Flock Group, Inc. for the Constable Pct. 4 Office to purchase a software subscription for one Falcon Flex LPR Camera System under the Sheriff's Office Master Agreement; authorize a purchasing waiver to the purchasing policy.**

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the County Judge to execute an Amendment Order Form with Flock Group, Inc. for the Constable Pct. 4 Office to purchase a software subscription for one Falcon Flex LPR Camera System under the Sheriff's Office Master Agreement; authorize a purchasing waiver to the purchasing policy.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39153 Authorize the Sheriff's Office to use existing funds of \$1,108.00 to purchase law enforcement equipment for SWAT and amend the budget accordingly.**

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize the Sheriff's Office to use existing funds of \$1,108.00 to purchase law enforcement equipment for SWAT and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39154 Authorize an amendment for expenditures related to DR-4705 Winter Storm Mara related to debris removal and cleanup operations and amend the budget accordingly.**

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to authorize an amendment for expenditures related to DR-4705 Winter Storm Mara related to debris removal and cleanup operations and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39155 Ratify the authorization of Cornerstone Detention Products, Inc. to conduct emergency repairs to the intercom system located in the Hays County Jail pursuant to the GSA Contract GA-07-269AA and our Service Agreement and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(D) for all open market items.**

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to ratify the authorization of Cornerstone Detention Products, Inc. to conduct emergency repairs to the intercom system located in the Hays County Jail pursuant to the GSA Contract GA-07-269AA and our Service Agreement and authorize a discretionary exemption pursuant to Texas Local Government Code 262.024 (a)(7)(D) for all open market items.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39156** Discussion and possible action to authorize the County Judge to execute a Professional Services Agreement between Hays County and Freese & Nichols, Inc regarding inspection of MS4 facilities as required by the City of San Marcos and authorize a discretionary exemption pursuant to Texas Local Government Code Chpt. 262.024(a)(4).

*Commissioner Ingalsbe stated the facilities being inspected are located at the Sheriff's Office, Juvenile Center, Government Center, and Elections/IT Building.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute a Professional Services Agreement between Hays County and Freese & Nichols, Inc regarding inspection of MS4 facilities as required by the City of San Marcos and authorize a discretionary exemption pursuant to Texas Local Government Code Chpt. 262.024(a)(4).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39157** Discussion and possible action to authorize the Court to execute a Contract Amendment No. 4 in the amount of \$346,000.00 to the Professional Services Agreement between Hays County and American Structurepoint, Inc. for additional design services on the RM 3237 Phase 1 Intersection improvements project in Precinct 3, as part of the Hays County Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly.

*Judge Becerra asked for item wording to remain the same throughout these items, changing "authorize the Court" to "authorize the County Judge". Commissioner Shell explained funding for phase 1 of this project was deferred by Capital Area Metropolitan Planning Organization (CAMPO), but the Texas Department of Transportation has agreed to fund and construct phase 1 in 3 different pieces.*

A motion was made by Commissioner Shell, seconded by Commissioner Smith to authorize the Court to execute a Contract Amendment No. 4 in the amount of \$346,000.00 to the Professional Services Agreement between Hays County and American Structurepoint, Inc. for additional design services on the RM 3237 Phase 1 Intersection improvements project in Precinct 3, as part of the Hays County Road Bond Program, utilizing a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(4) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39158** Discussion and possible action to authorize the County Judge to execute a TIA Contribution Agreement between Hays County and Arroyo Cap II-1, LLC, in the amount of \$56,446.00, for certain off-site traffic improvements related to the Sunset Oaks/Highmeadow Subdivision, and amend the budget accordingly.

*Commissioner Ingalsbe stated this is for 169 residential lots.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the County Judge to execute a TIA Contribution Agreement between Hays County and Arroyo Cap II-1, LLC, in the amount of \$56,446.00, for certain off-site traffic improvements related to the Sunset Oaks/Highmeadow Subdivision, and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39159** Discussion and possible action to consider the acceptance of road construction and surface drainage improvements, release of the Letter of Credit #20234033 in the amount of \$18,520.06, acceptance of the maintenance bond #PB03016800851M2 in the amount of \$60,222.12, and acceptance of the revegetation bond #PB03016800851M1 in the amount of \$7,078.86 for 6 Creeks subdivision, Phase 1, Section 10.



A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept road construction and surface drainage improvements, release the Letter of Credit #20234033 in the amount of \$18,520.06, accept the maintenance bond #PB03016800851M2 in the amount of \$60,222.12, and accept the revegetation bond #PB03016800851M1 in the amount of \$7,078.86 for 6 Creeks subdivision, Phase 1, Section 10.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39160** Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$2,553,164.45 for the Waterstone, Unit B, Subdivision (Irrevocable Standby Letter of Credit No. FTFC-23234).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept fiscal surety for street and drainage improvements in the amount of \$2,553,164.45 for the Waterstone, Unit B, Subdivision (Irrevocable Standby Letter of Credit No. FTFC-23234).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39161** Discussion and possible action to accept fiscal surety for street and drainage improvements in the amount of \$2,252,601,.83 for the Waterstone, Unit C, Subdivision (Irrevocable Standby Letter of Credit No. FTFC-23233).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept fiscal surety for street and drainage improvements in the amount of \$2,252,601,.83 for the Waterstone, Unit C, Subdivision (Irrevocable Standby Letter of Credit No. FTFC-23233).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39162** Discussion and possible action to call for a public hearing on July 25, 2023, to establish a 4-way stop at the intersection of Sparrow Lane and Skyview Terrace.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on July 25, 2023, to establish a 4-way stop at the intersection of Sparrow Lane and Skyview Terrace.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39163** Discussion and possible action to call for a public hearing on July 25, 2023, to establish a 3-way stop at the intersection of Jennifer Drive and Christopher Drive.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on July 25, 2023, to establish a 3-way stop at the intersection of Jennifer Drive and Christopher Drive.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39164** Discussion and possible action to call for a public hearing on July 25, 2023, to establish a 4-way stop at the intersection of Skyview Terrace and Green Pastures Road.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on July 25, 2023, to establish a 4-way stop at the intersection of Skyview Terrace and Green Pastures Road.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39165** Discussion and possible action to call for a public hearing on July 25, 2023, to establish a 3-way stop at the intersection of Miller Lane and Country Lane.



A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to call for a public hearing on July 25, 2023, to establish a 3-way stop at the intersection of Miller Lane and Country Lane.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

PLN-2093-PRE; Discussion and possible action to consider granting a variance from Chapter 721 § 5.03 and Table 721.02 of the Hays County Development Regulations regarding the Hawk Ridge, Phase 2, Preliminary Plan.

*Marcus Pacheco, Director of Development Services, provided background on the property and explained the variance on cul-de-sac radius that is requested. Commissioner Smith stated this would create uniformity throughout the neighborhood. Jerry Borcharding, Director of Transportation, explained the shorter radius in Phase 1 was not caught by the county and the developer should be held to the regular Development Regulations. The Court discussed whether to grant the variance. Andrew Dodson, Engineer for Hawk Ridge Phases 1 and 2, addressed the Court's concerns regarding fire code and safety standards. Judge Becerra asked for the Fire Marshal to review the item and tabled it for later discussion.*

**Clerk's Note:** Item J-1 was reopened at 12:32 p.m.

*Marcus Pacheco stated there are no notes or comments relating to the development not meeting fire code. Andrew Dodson further addressed the Court's concerns regarding fire code and drainage. Commissioner Smith tabled the item for a later date to allow the Fire Marshal to complete his review, and asked Pacheco to change the item wording to clarify that this is not a variance that will be regularly granted. Commissioner Ingalsbe asked for the Transportation Department to review drainage for the development as well. No action taken.*

**39166** PLN-2218-PC; Hold a Public Hearing; Followed by discussion and possible action regarding the Douglas Estates, D-11 Replat.

*Judge Becerra opened the Public Hearing at 12:12 p.m. No comments were made. Judge Becerra closed the Public Hearing at 12:12 p.m. Marcus Pacheco, Director of Development Services, provided background on the property, stated staff recommends disapproval due to missing subdivision fees, missing proof of required notice postings, and missing information on the plat, and asked the Court to grant Development Services the authority to review any resubmissions and grant approval or disapproval upon resubmission. Commissioner Smith spoke about remaining consistent with timelines and regulations.*

A motion was made by Commissioner Smith, seconded by Judge Becerra to disapprove the Douglas Estates, D-11 Replat (PLN-2218-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39167** PLN-2235-PC; Hold a Public Hearing; Followed by discussion and possible action regarding the Hurlbut Ranch West, PT of Tract 23, Replat.

*Judge Becerra opened the Public Hearing at 12:15 p.m. No comments were made. Judge Becerra closed the Public Hearing at 12:15 p.m. Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends disapproval due to missing subdivision fees, missing proof of required notice postings, and significant missing information on the plat, and asked the Court to grant Development Services the authority to review any resubmissions and grant approval or disapproval upon resubmission. Commissioner Shell clarified this action will allow Development Services to work with the applicant on deficiencies before approval.*

A motion was made by Commissioner Shell, seconded by Commissioner Smith to disapprove the Hurlbut Ranch West, PT of Tract 23, Replat (PLN-2235-PC).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**



**39168** PLN-2115-PRE; Discussion and possible action regarding Vista West Ranches, Lots 12A & 12B, Preliminary Plan.

*Marcus Pacheco, Director of Development Services, provided background on the property and stated staff recommends approval.*

A motion was made by Commissioner Shell, seconded by Commissioner Smith to approve Vista West Ranches, Lots 12A & 12B, Preliminary Plan (PLN-2115-PRE).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39169** Discussion and possible action to adopt an Order Authorizing Extraordinary Optional Redemption of a Portion of the Hays County, Texas Special Assessment Revenue Bonds, Series 2015 (La Cima Public Improvement District Major Public Improvement Project) and the Hays County, Texas Special Assessment Revenue Bonds, Series 2020 (La Cima Public Improvement District Neighborhood Improvement Areas #1-2 Project).

*Jordan Powell, Assistant Criminal District Attorney - Civil Division, stated the developer prepaid some of their assessments. Julie Houston, Hays County Bond Counsel with the Law Firm of Orrick, Herrington & Sutcliffe, reviewed the county's options regarding what to do with the prepayments and suggested paying down principals.*

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt an Order Authorizing Extraordinary Optional Redemption of a Portion of the Hays County, Texas Special Assessment Revenue Bonds, Series 2015 (La Cima Public Improvement District Major Public Improvement Project) and the Hays County, Texas Special Assessment Revenue Bonds, Series 2020 (La Cima Public Improvement District Neighborhood Improvement Areas #1-2 Project).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39170** Discussion and possible action to adopt a Resolution Approving a La Cima South Public Improvement District Financing Agreement; Authorizing the Execution and Delivery of such Agreement; and Approving any Additional Actions Necessary in Connection Therewith.

*Commissioner Shell stated this is for La Cima South which was created in August 2022. Jordan Powell, Assistant Criminal District Attorney - Civil Division, explained the purpose of the Financing Agreement. Julie Houston, Hays County Bond Counsel, further elaborated on the Financing Agreement and stated this does not commit the county to spending any funds today, it just sets rules for development.*

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt a Resolution Approving a La Cima South Public Improvement District Financing Agreement; Authorizing the Execution and Delivery of such Agreement; and Approving any Additional Actions Necessary in Connection Therewith.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39171** Discussion and possible action to adopt a Resolution Approving a La Cima North Public Improvement District Financing Agreement; Authorizing the Execution and Delivery of such Agreement; and Approving any Additional Actions Necessary in Connection Therewith.

*Commissioner Shell stated this is for La Cima North, which was created in September 2022 after neighborhood meetings to address resident concerns. Jordan Powell, Assistant Criminal District Attorney - Civil Division, pointed out specific development parameters regarding landscape buffers on page 11 in section 3.10 of the Financing Agreement. Julie Houston, Hays County Bond Counsel, stated that except for the development parameters mentioned by Powell, this is substantially similar to the Financing Agreement for La Cima South.*

A motion was made by Commissioner Shell, seconded by Commissioner Smith to adopt a Resolution Approving a La Cima North Public Improvement District Financing Agreement; Authorizing the Execution and Delivery of such Agreement; and Approving any Additional Actions Necessary in Connection Therewith.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**39172** Discussion and possible action to accept a Proposal from Water & Earth Technologies (WET) related to the replacement of the pressure transducer on Wayside Drive, authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024 (a)(7)(D), and amend the budget accordingly.

*Commissioner Smith asked about standardizing this process. Vickie Dorsett, Hays County Budget Officer, explained the county has a maintenance contract with WET, but when the cost exceeds \$2,000 and \$5,000 it requires a budget amendment, and the county does not have funds budgeted to repair damages caused by auto accidents or weather. Mike Jones, Director of the Office of Emergency Services, spoke about efforts made to mitigate damage, including applying for a grant for funds. Stephanie Hunt, First Assistant Auditor, explained the procurement process for these items.*

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept a Proposal from Water & Earth Technologies (WET) related to the replacement of the pressure transducer on Wayside Drive, authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024 (a)(7)(D), and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**39173** Discussion and possible action to accept a Proposal from Water & Earth Technologies (WET) related to upgrading the York Creek Flasher 3 to an Advance Notice Flasher and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024 (a)(7)(D).

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept a Proposal from Water & Earth Technologies (WET) related to upgrading the York Creek Flasher 3 to an Advance Notice Flasher and authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024 (a)(7)(D).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**39174** Discussion and possible action to approve the appointment of David Edwards as the Hays County representative to the Board of Commissioners of the Texas Housing Foundation, a Texas regional housing authority.

*Judge Becerra gave support for the appointment. Commissioner Smith spoke about Edwards' qualifications.*

A motion was made by Commissioner Smith, seconded by Commissioner Shell to approve the appointment of David Edwards as the Hays County representative to the Board of Commissioners of the Texas Housing Foundation, a Texas regional housing authority.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**39175** Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and American Legion Post 290 Dripping Springs regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and American Legion Post 290 Dripping Springs regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**



**39176** Discussion and possible action to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Buda VFW Post 12161 regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County American Rescue Plan Recovery Grant Agreement between Hays County and Buda VFW Post 12161 regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39177** Discussion and possible action to authorize the County Judge to execute the Hays County Social Service Funding Agreement between Hays County and Dripping Springs Water Supply Corporation regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County Social Service Funding Agreement between Hays County and Dripping Springs Water Supply Corporation regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39178** Discussion and possible action to authorize the County Judge to execute the Hays County Social Service Funding Agreement between Hays County and San Marcos Area Chamber of Commerce, Inc. regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell to authorize the County Judge to execute the Hays County Social Service Funding Agreement between Hays County and San Marcos Area Chamber of Commerce, Inc. regarding recovery assistance for direct or indirect impacts of COVID-19 and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39179** Discussion and possible action to consider granting a variance from Section 705.2.01 of the Hays County Development Regulations and allow issuance of a development authorization for an entry monument on a property along Yarrington Road for the Sunset Oaks Subdivision.

*Marcus Pacheco, Director of Development Services, explained the variance was requested so that a sign may be constructed without requiring a new plat. Commissioner Ingalsbe suggested looking at the county's development rules and determining how to address these types of requests in the future. Commissioner Smith stated there are often issues with signs being placed too close to right-of-way and discussed solutions with Commissioner Ingalsbe.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to grant a variance from Section 705.2.01 of the Hays County Development Regulations and allow issuance of a development authorization for an entry monument on a property along Yarrington Road for the Sunset Oaks Subdivision.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39180** Discussion and possible action to grant a purchasing waiver to the Tax Assessor's Office to utilize BIS Consulting, LLC. to perform 2023 tax rate calculations, where BIS was not the lowest quote received.



*Jenifer O'Kane, Hays County Tax Assessor-Collector, explained this is for a new software that will integrate with the Hays Central Appraisal District's website, and the funds have already been approved in the budget.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to grant a purchasing waiver to the Tax Assessor's Office to utilize BIS Consulting, LLC. to perform 2023 tax rate calculations, where BIS was not the lowest quote received.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39181** Discussion and possible action to execute a Master Lease Agreement with Ricoh USA, Inc. to add a copier for the Budget Office (\$155.01 monthly), IT Department (\$98.51 monthly) and Constable Precinct 4 Office (\$155.01 monthly) and amend the budget accordingly.

*Stephanie Hunt, Assistant County Auditor, clarified the Constable Precinct 4 Office only has a desktop printer and needs a full copier.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to execute a Master Lease Agreement with Ricoh USA, Inc. to add a copier for the Budget Office (\$155.01 monthly), IT Department (\$98.51 monthly) and Constable Precinct 4 Office (\$155.01 monthly) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39182** Discussion and possible action to accept a proposal from Water & Earth Technologies (WET) in the amount of \$5,413.83 related to the repair/replacement of the damaged York Creek Road Flasher 1; authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(7)(D) and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to accept a proposal from Water & Earth Technologies (WET) in the amount of \$5,413.83 related to the repair/replacement of the damaged York Creek Road Flasher 1; authorize a discretionary exemption pursuant to Texas Local Government Code Ch. 262.024(a)(7)(D) and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39183** Discussion and possible action to accept a proposal from Water & Earth Technologies (WET) in the amount of \$10,241.15 related to the repairs of the damaged flasher at Jacobs Well and Cypress Creek and authorize a discretionary exemption pursuant to Texas Local Government Code Chpt. 262.024 (a)(7)(D).

A motion was made by Commissioner Shell, seconded by Commissioner Smith to accept a proposal from Water & Earth Technologies (WET) in the amount of \$10,241.15 related to the repairs of the damaged flasher at Jacobs Well and Cypress Creek and authorize a discretionary exemption pursuant to Texas Local Government Code Chpt. 262.024 (a)(7)(D).

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

**39184** Discussion and possible action to authorize the Development & Community Services Director to convert the GIS Specialist slot 0232-001 to a GIS Analyst position effective immediately.

*Marcus Pacheco, Director of Development Services, explained that downgrading the position will help with staff restructuring and task distribution. Judge Becerra recognized Pacheco for his leadership of Development Services.*

A motion was made by Commissioner Smith, seconded by Commissioner Shell to authorize the Development & Community Services Director to convert the GIS Specialist slot 0232-001 to a GIS Analyst position effective immediately.



AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

**39185** Discussion and possible action to authorize the part-time Justice Clerk slot 0855-005 to work full-time for the period of July 18 through July 26, 2023 for the Justice of the Peace Pct. 1-1 Office and amend the budget accordingly.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize the part-time Justice Clerk slot 0855-005 to work full-time for the period of July 18 through July 26, 2023 for the Justice of the Peace Pct. 1-1 Office and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**

Discussion and possible action to approve a Scope of Work for a 10-year historical review and forensic audit to include the dates to review from January 1, 2012 through December 30, 2022.

*Daphne Tenorio, Hays County Treasurer, presented a proposal for a forensic audit of the Treasurer's Office to identify previous deficiencies, as well as policies and procedures. Commissioner Cohen asked for the Procurement Department to be involved. Commissioner Shell asked how this audit would differ from the work already done by the Auditor's Office. Marisol Villarreal-Alonzo, Hays County Auditor, explained her office's duties and ongoing audits. The Court discussed the direction they would like to take the audit in and how to improve the handover process for newly elected officials. Commissioner Shell suggested working with the Auditor and Texas Association of Counties (TAC) to develop policies and procedures. Judge Becerra spoke in favor of providing additional support to the Treasurer's Office. Villarreal-Alonzo suggested narrowing the scope of work for better results. Commissioner Smith spoke about the importance of continuity of operations and the duties of the Auditor's Office. Jordan Powell, Assistant Criminal District Attorney - Civil Division, reviewed options moving forward. Stephanie Hunt, Assistant County Auditor, spoke about the procurement process. No action taken.*

**Clerk's Note:** Judge Becerra called for a recess that began at 10:37 a.m. and resumed back into open court at 10:46 a.m.

**Clerk's Note:** Executive Session began at 12:41 p.m. and resumed back into open court at 1:10 p.m.

**Clerk's Note Agenda Item #L-1 RE:** *Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, lease and/or value of real property associated with Parks and Open Space Projects being considered by Hays County. Possible discussion and/or action may follow in open court. - WAS PULLED.*

**39186** Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation to consider a resolution determining the necessity and authorizing the use of the County's power of eminent domain to acquire fee simple interest in 0.7495 acre, owned by ADBF, LLC, a Texas limited liability company and Studio Estates, LLC, a Texas limited liability company, and which is required for the construction of the proposed FM 2001 roadway improvements, and take other appropriate action (Parcels 56). Possible discussion and/or action may follow in open court.

*Commissioner Ingalsbe stated attempted negotiations between the parties have been unsuccessful and eminent domain is the county's remaining option for the construction of the proposed FM 2001 improvements.*

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Shell for the Commissioners Court of Hays County to authorize the use of the power of eminent domain to acquire fee simple interest in 0.7495 acre from property located along FM 2001, owned by ADBF, LLC, a Texas limited liability company and Studio Estates, LLC, a Texas limited liability company, and which is required for the construction of the proposed FM 2001 roadway improvements, and take other appropriate action.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra  
**5 - 0 Passed - Unanimously**



**39187** Executive Session pursuant to Sections 551.071 and 551.072 of the Texas Government Code: consultation with counsel and deliberation regarding the purchase, exchange, lease and/or value of Right of Way located at or near FM 110 in Pct. 1. Possible discussion and/or action may follow in open court.

A motion was made by Commissioner Ingalsbe, seconded by Commissioner Cohen to authorize \$7,655.00 payment to Sheets & Crossfield for additional work done on the FM 110 improvement project, Parcel 2N, as discussed in Executive Session and amend the budget accordingly.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

Executive Session pursuant to Sections 551.071 and 551.087 of the Texas Government Code: consultation with counsel and deliberation regarding economic development negotiations associated with Project Lion King. Possible discussion and/or action may follow in open Court.

*No action taken.*

Executive Session pursuant to Sections 551.071 and 551.076 of the Texas Government Code: consultation with counsel and deliberation regarding the deployment of security device(s) located at the Hays County Government Center, 712 S. Stagecoach Trail, San Marcos. Possible discussion and/or action may follow in open court.

*No action taken.*

**39188** Discussion and possible action related to the burn ban.

*Mark Wobus, Hays County Fire Marshal, updated the Court on a recent fire and drought conditions, and asked for a burn ban order for 90 days. Judge Becerra thanked all involved with controlling the Vineyard Hill/Hilliard Road fire and spoke about the community response. Commissioner Smith spoke about the partnership between Hays County and surrounding emergency service districts and recognized law enforcement for their assistance. Judge Becerra recognized the Transportation Department for their work as well.*

A motion was made by Commissioner Smith, seconded by Commissioner Ingalsbe to implement a 90-day burn ban effective today, July 11, 2023.

AYE: Commissioner Ingalsbe, Commissioner Cohen, Commissioner Shell, Commissioner Smith, Judge Becerra

**5 - 0 Passed - Unanimously**

Discussion related to the Hays County inmate population, to include current population counts and costs.

*Judge Becerra read the Sheriff's update of the inmate population. Current maximum jail capacity is 410 inmates. Jail Standards recommends holding 10% open, lowering current capacity to 368 inmates. The jail's daily average was 582 for the week of July 2, 2023, with a peak of 595 inmates on July 6, 2023. The estimated cost for outsourcing inmates this week was \$157,090. The average number of outsourced males is 250 and females is 1. This week's inmates were housed in the following counties: Atascosa, Comal, Haskell, and Maverick. During the month of June 2023, the county jail trustees worked a total of 5,126 hours at a rate of \$12/hour for a savings of \$61,518. The jobs performed by the trustees range from kitchen, laundry, cleaning within the facility, and special project assignments. The number of "paper-ready" inmates who are now wardens of the state is 45. Commissioner Shell noted if the jail was fully staffed the county would not need to outsource inmates right now.*

**Clerk's Note Agenda Item #M-3 RE:** *Discussion of issues related to the Hays County Jail, and the planning of projects pertaining to the public safety facilities needs within the County. Possible action may follow. - WAS PULLED.*

**Clerk's Note Agenda Item #M-4 RE:** *Discussion and possible action regarding Hays County's use of federal or other grant funding related to COVID-19 response including but not limited to the American Rescue Plan Act (ARPA) and the Emergency Rental Assistance Program (ERAP). - WAS PULLED.*

**Clerk's Note Agenda Item #M-5 RE:** *Updates of community health assessment by local health department. - WAS PULLED.*



Clerk's Note Agenda Item #M-6 RE: *Discussion and possible action related to proposed bills in the 87th Regular Session of the Texas Legislature and to consider adoption of resolution(s) regarding proposed bills. The Court may opt to withdraw to Executive Session during this item to consult with legal counsel pursuant to Texas Government Code 551.071.*  
- WAS PULLED.

Clerk's Note Agenda Item #M-7 RE: *Updates on measurable advancement of Pretrial Services to include the areas of staffing, equipment, training, operations and policy, by Director Pre-Trial Services Randy Focken.* - WAS PULLED.

**ADJOURNMENT**

A motion was made by Commissioner Shell, seconded by Judge Becerra to adjourn court at 1:11 p.m.

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I, ELAINE H. CÁRDENAS, COUNTY CLERK and EXOFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Hays County Commissioners' Court on JULY 11, 2023.



ELAINE H. CÁRDENAS, COUNTY CLERK AND EXOFFICIO  
CLERK OF THE COMMISSIONERS' COURT OF  
HAYS COUNTY, TEXAS

